

**IN THE CLAIMS**

This listing of claims replaces all prior listings:

1. (Currently Amended) A non-aqueous electrolyte secondary battery comprising:

~~a band-shaped~~ positive electrode;

at least one separator made of a polypropylene microporous film; and

~~a band-shaped negative electrode consisting of a graphite-containing material comprising~~  
a graphite material,

wherein,

(1) — the relationship  $G_s = H_{sg}/H_{sd} \leq 10$  holds for the negative electrode,  $G_s$  being the degree of graphitization,  $H_{sg}$  being the height of a surface enhanced Raman spectrum signal having a peak within the range of  $1580\text{ cm}^{-1}$  to  $1620\text{ cm}^{-1}$ , both inclusive, and  $H_{sd}$  being the height of a surface enhanced Raman spectrum signal having a peak within the range of  $1350\text{ cm}^{-1}$  to  $1400\text{ cm}^{-1}$ , both inclusive, and

(2) — ~~said graphite containing material~~ has a graphite crystalline structure as a base material and an amorphous coating on the surface of the base material comprises  
~~graphite particles having structural differences between an inside of the particles and an outermost surface of the particles,~~

(3) — ~~said graphite containing material is characterized by~~

——— (a) ~~the graphite particles having a rhombohedral structure,~~

——— (b) ~~exhibiting at least two separate peaks on a differential~~

——— ~~thermogravimetric curve as obtained by thermogravimetric analysis in an~~

——— ~~airflow.~~

~~(c)the outermost surface of the graphite particles exhibiting a weight reduction as measured by a differentiation of the thermogravimetric curve of at least 5% and at most 40% relative to the inside of the particles, and~~  
~~(d)having a saturated tapping density of  $1.2 \text{ g/cm}^3$  or more;~~

~~(4)the graphite particles are pressed such that the specific surface area of the graphite is increased by at least 2.5 times that of the specific surface area before being pressed; and~~

~~(5)the band-shaped positive electrode, one of the at least one separators, the band-shaped negative electrode and a second of the at least one separators are stacked together in that order.~~

2. (Cancelled)

3. (Currently Amended) A non-aqueous electrolyte secondary battery comprising:

a band-shaped positive electrode;

a band-shaped negative electrode; and

at least one separator made of a polypropylene microporous film and a non-aqueous electrolyte,

wherein,

~~(1)the negative electrode contains a graphite containing material, said graphite material has a graphite crystalline structure as a base material and an amorphous coating on the surface of the base material comprising graphite particles having structural differences between an inside of the particles and an outermost surface of the particles; wherein said graphite containing material is characterized by a saturated tapping density of  $1.2 \text{ g/cm}^3$  or more;~~

~~(2) — the outermost surface of the graphite particles exhibits a weight reduction as measured by a differentiation of a thermogravimetric curve as obtained by thermogravimetric analysis in an airflow of at least 5% and at most 40% relative to the inside of the particles;~~

~~(3) — the graphite particles are pressed such that the specific surface area of the graphite is increased by at least 2.5 times that of the specific surface area before being pressed; and~~

~~(4) — the band-shaped positive electrode, one of the at least one separators, the band-shaped negative electrode and a second of the at least one separators are stacked together in that order.~~

4. (Currently Amended) A non-aqueous electrolyte secondary battery comprising:

a band-shaped positive electrode;

a band-shaped negative electrode including a graphite containing material; and

at least one separator made of a polypropylene microporous film, and a non-aqueous electrolyte,

wherein,

~~(1) — said graphite containing material comprises has a graphite crystalline structure as a base material and an amorphous coating on the surface of the base material, and graphite particles having structural differences between an inside of the particles and an outermost surface of the particles;~~

~~(2) — said graphite containing material is characterized by~~

~~—— (a) — a packing characteristic index of 0.42 or more;~~

~~—— (b) — the graphite particles having a rhombohedral structure;~~

~~(c) — the outermost surface of the graphite particles exhibiting a weight reduction as measured by a differentiation of a thermogravimetric curve as obtained by thermogravimetric analysis in an airflow of at least 5% and at most 40% relative to the inside of the particles, and~~

~~(d) — a saturated tapping density of 1.2 g / cm<sup>3</sup> or more, (3) the graphite particles are pressed such that the specific surface area of the graphite is increased by at least 2.5 times that of the specific surface area before being pressed, and~~

~~(4) — the band-shaped positive electrode, one of the at least one separators, the band shaped negative electrode and a second of the at least one separators are stacked together in that order.~~

5.-46. (Cancelled)